G. R. S. 58]

Previous references.

S-R-9-01

Later references.

19 03-04.

(Sep. Rec)

File No. 119 of 03.

Serial Nos. 1-4.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 – 4

Majors **Part B for** January 1904.

SUBJECT.

Claim to Toddy Revenue of Santanagudi Hoskoti Taluk

1. From The Excise Comr. No. 964-29 & 27-7-03.
Submits with opinion the award of engaging in the above claim.

2. To The Excise Comr. No. 262 & 17-IX-03.
Returns the above for Completing the engaging & recording a full decision.

3. From The Excise Comr. No. 2649-121 & 26-Sep-03.
Returns the records.

GPB—5,000—22-10-10

4. To The Excise Comr. & The Comptr.
No. 570-11 & 21-I-1904

S. R. 119-03

Office Note.

Office of the Dewan of Mysore.

File No. (if any)

Directions.

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

Branch S.R. 119-03

Subject Letter No. 964/29 dt. 27.7.1903. from the Excise Commissioner in Mysore, Submitting the record of enquiry relating to the Kayamputta village of Santanapura, Hoskote Tk.

Submitted.

The enclosed record relates to the claim to toddy revenue of Kayamputta Santānapura village, Hoskote Taluk.

The investigating officer, Mr. B. Kumara Swami Naik records the following findings :-

(1) The claimants are entitled to 1/8th of tree rent up to 1898-99

(2) They are entitled to full tree rent for the succeeding years.

The decision is incorrect. The first portion is apparently under rule 4 of G.O. 2074-83 dt. 2.8.01. according to R7-166-92 which 1/8th of grove farm rent ~~dele~~ towards tree rent up to 1896-97 alone

right.

WB

ought to have been awarded.

The second portion of the decision is apparently recorded under Rule 8 and 17; but the necessary informat. for such a decision was not before the investigating Officer.

The Excise Comm. states that the Officer concurs with the investigating Officer but awards 1/5th of grove farm rent only under Rule 4 and does not advise the other point.

The decision and the enquiry are thus defective. The only course open is to send back the records with a direction that a complete enquiry and a full decision should precede the resubmission of the records to Govt with a draft for approval.

9/9/03

9/9/03

Note cont'd:

The above was accordingly communicated to the Excise Comm. and in resubmitting the records he states that rule "8 & 17 do not apply to the case under reference" and elucidates the statement of the investigating Officer referred to in

in the above to mean "that from the year of the introduction of the Tree-tax system, they (the Kayastha) are (were) at liberty to lease their trees privately and thereby enjoy full tree-rent"

~~add for plaintiff~~ The claim is not ~~by~~ thus established the suit is accordingly ~~ruled~~ for ~~dismissal~~ dismissal

5/1/14

true
31/12/03

The Dewan through the 2nd Counsellor

The claim has not been proved - I agree to the order proposed - C.

8/1/04

15730
9.1.04

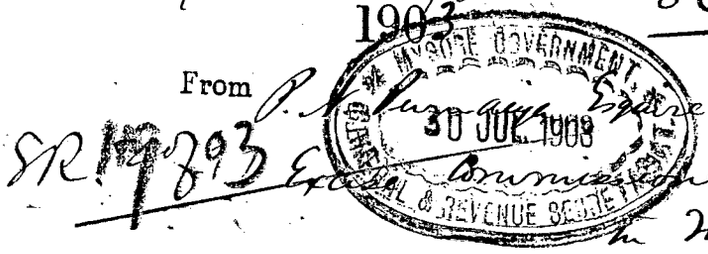
8/1/14

7.1.04:

Ex 62 of 1903 81.L

1903

From P. Rangaiya Esqre Bar-at-Law
Special Commissioner
in Mysore.



SR 19793

To H. V. Nanjundayya Esq. M.A. B.L.
Secretary to the Government of
His Highness the Maharaja of Mysore
General and Revenue Department

Dated 27th
Despatched 27th } July 1903.
Received

General No. 964
No. 29

Enclosure No. 14 file.

Submits with opinion
the record of enquiry
relating to the Jaddy Revenue
of Kayenguttu Santanapura,
Soolibele Hobli, Hoskote
taluk.

Encs
30.7.03

MGCPB—50 reams—6-12-02.

No 64

Excise Commissioner's Office

Dated, Bangalore 27th July 1903.

From

B. N. Ramaiya Esquire BA

Excise Commissioner in Mysore.

To

H. V. Nanjundayya Esquire BA. Bar.-at-Law.

Secretary to the Government of

His Highness the Maharaja of Mysore

General and Revenue departments.

Sir,

In submitting herewith the record of enquiry relating to the Toddy Revenue of Koyenguttu Santhanapura, Soolebel Hobli, Hoskote taluk, together with a copy of docket No A 19, dated 18th instant, from the Deputy Commissioner, Bangalore District, I have the honor to state that I concur in the opinion of the investigating Officers and the Deputy Commissioner, that the Koyan guttadars are not entitled to Excise Revenue from Toddy. They have produc

no samad or other evidence to show that they are entitled to Excise Revenue from Toddy. The Inam Settlement has not conceded it. Accordingly only 1/5th of the rent of the Grove Farm is payable to them under Rule 4 in Government Proceedings No $\frac{2074\text{-}83}{R.7166\text{-}92}$, dated 2nd August 1901.

S-R-9-01
42-1

I have the honor to be,
Sir,
Your most obedient servant

For Excise Commissioner.

Mysore Govt., Gen. & Rev. Secretariat

Branch

File No. (if any) and its date—

Office Draft.

Progs. of the Govt. of H. H. the Maharaja of Mysore.

ER 119 of 03 Sl 2

Read:

Letter no 964/29 dt 27.7.1903 from the Excise Commissioner in Mysore submitting the record of enquiry relating to the toddy revenue of the Kayam Gutta village of Santanapura, Hoskote Tk.

Leave 19-9-03

(C.D. Gomez)

Order: 262/ex.t.16-07 dt 17.9.03.

In the case read above the investigating Officer Mr B.J. Kumarasawmi Naik records the findings that the claimants are entitled to 1/5-1/4 of brei-rent upto 1898-99. and that they are entitled to full brei rent for the succeeding years

2. Government regret to observe that the decision is incorrect and the enquiry incomplete The first portion of the decision being under Rule 4 of Govt Progs. no 2074-83/R.T.166-92 dt 2.8.01. 1/5-1/4

of [illegible] Farm Cut towards
[illegible] Lakh for 1896-97 alone
ought to have been rewarded
[illegible] evidence before the investigating officer on the [illegible]
3. The material information
for the second finding of the
investigating officer, which
falls under Rules 8 and 17 of
the Rules quoted above was
not before him; and hence
it is a decision based on no
evidence.

4. The Excise Commissioner
in his Notes he concurs
with the investigating officer
but awards 1/5-1/4 of Grove
Farm, cut only under
Rule 4 without assigning
the other [illegible] of the latter.

5. The decision and the enquiry
being thus defective, Govt
direct that the records of enquiry
be remitted to the investigating
officer for completing the
enquiries for recording a
full decision

Secretary 12/7/13

To The Excise Commr. in Mysore

[illegible] whether the [illegible]
was allowed to
[illegible] his trees in [illegible]
and whether any
how many trees were
actually [illegible] in the
village; if so the [illegible]
his second finding,
which falls under
rules 8 & 17.

Ex 1664 of 28/9/03. 823

190

SR 11978/03

From D. N. Pharaoh Esqr. B.A.
Excise Commissioner
Ootacamund

GOVERNMENT
8 SEP 1903

To H. V. Nanjundiah Esqr. M.A., M.L.
Secretary to Government
General & Revenue Departments.

Dated 23rd September 1903.

Despatched 26th do. —

Received

General No. 2669

No. 121

Enclosure No 1 file. —

Subject.

Resubmits with his opinion the record of enquiry relating to the Toddy Renewal of Kayamgubba — Lantanapure Village Hoskote Taluk.

Exc
27.9.1

MGCPB—50 reams.—6-12-02.

No. 4/1 Ex. & Rev. Excise Commissioners office

Dated, Bangalore 23rd September 1903.

From.

V. N. Purnaiya Esq., B.A.

Excise Commissioner in Mysore

To.

A. V. Narayandiah Esq., M.A., M.L.

Secretary to the Government of

H. H. the Maharaja of Mysore

General and Revenue Department.

Sir,

In resubmitting herewith the record of enquiry relating to the Toddy Revenue of Kayengutta, Santanapura, Hoskote Taluk, &c. received with Government Proceedings No. 262—Ex. H. 16—01, dated 17th September 1903, I have the honour to state that the date trees of the above village have not been assigned to any particular shops from time immemorial, and that the Kayengutta dealers were not prevented from leasing their

A Calendar of a claim to Land by Reven

Assistant Co

1	2	3	4	5	6
No. Name of Village.	Name of Kobbly's Lawmark or Mangani.	Name of Lawmark or Mangani Village.	Name of Lawmark or Mangani Guardian.	Documents produced.	Witnesses Re-examined.
1 Soorkote Taluk	Soobbie Kobbly	Mangutta Savithamma Widow	Rakki Venkata Gowda.	Nil	Nil

25/2/1903.

enquired into by C. J. Kannamanavar Naik Esq.re P. A.
missioner, Bangalore District

Name of Village	Name of Inamdar	Nature of Inam
7	8	9
Inam of one rent exempted to the extent of Rs 8-8-0 by Government subject to the payment of Rs. 1-8-0 per annum from 1898-99 for three years.	Nil.	(1) No satisfactory evidence is adduced to show that the Revenue was ever collected by the Inamdar. (2) During the currency of the present term enjoyed by the Inamdar, it is recommended that the Inam be resumed on the expiry thereof.

Assistant Commissioner
Bangalore District

No. 24
575
of 13

2

Memo

In re Enquiry into the claims to Toddy Revenue of the Inamdar of Kayenigutta Santhamapur village, Sooleebele Hobli Hosakota Taluk.

1 The present leader is patil Venkatagowda.

2 The village was purchased by him in 1891 in a civil court-auction

3 The Inamdar bases his claim to the Toddy revenue on the ground, that in the sale certificate, all kind of trees are mentioned.

4 There is no shop in the village, there exist 12 Toddy trees according to Taluk account and so according to Inamdar's statement.

5 No mention is made of the village

village in the Copy of the Statement received from the Deputy Superintendent of the Workers of Yerawada village, which have a right to Forty Revenue. No specific mention is made therein the Sale certificate of the Akbari, Sharabi, or Panchabab having been executed to the Respondent Government, the Respondent has failed to establish his right to Forty Revenue either by Documentary or Oral evidence.

6 The Claimant, therefore, seems to be not entitled to Forty revenue, but to 1/8 of the Tree rent, if any up to the year 98-99 and full Tree rent for the succeeding years, the Collector, thereon, being payable to Government vide para 9 & 17 of the Rules.

The connected records as per Index here enclosed as also the Calendar in the prescribed form.

Assistant Commissioner
Baramati Prant

27/1/03

Secretary
Attached
28/1/03
Commissioner

1903-04

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

EXCISE

PROCEEDINGS

Dated 21st January 1904

No. 510-11 / Ex. F. 16-01

Disallowing the claim of the Inamdar of Kayamgutta Santanapura village, Hoskote Taluk, Bangalore District, to the toddy Excise revenue of the village.

SBP—29-1-04—50

Proceedings of the Government of His Highness the Maharaja of Mysore, Excise, dated 21st January 1904.

READ—

Correspondence ending with the Excise Commissioner's letter No. 2649—121, dated 26th September 1903, submitting the record of enquiry relating to the Inamdar's claim to the toddy revenue of Kayamgutta Santanapura village, Hoskote Taluk, Bangalore District.

No. 510-11—Ex. F. 16-01, DATED BANGALORE, 21ST JANUARY 1904.

ORDER THEREON.—The village has a few date trees but no toddy shop. The Inamdar's claim to the Excise revenue from toddy is disallowed, as it is not supported either by the terms of the Inam Settlement or by enjoyment.

2. A refund bill (in duplicate) may be submitted to Government for any amount that may be due to the Inamdar for past years under Rule 4 of the Government Order of the 2nd August 1901, No. 2074-83—R. F. 166-92.

H. V. NANJUNDAYYA,
Secy. to Govt., Gen. & Rev. Depts.

To—The Excise Commissioner in Mysore, returning records.
The Comptroller to the Government of His Highness the Maharaja of Mysore.

Exd.—C.R.